

BEFORE THE FEDERAL ELECTION COMMISSION

MAR 17 4 13 PM '99

In the Matter of

C. Boyden Gray

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MUR 4758

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

I. DISCUSSION

On March 5, 1999, the Commission found, *inter alia*, reason to believe C. Boyden Gray violated 2 U.S.C. §§ 441a(a)(1)(A) and 441a(a)(3) with respect to his contributions to various candidate committees and his aggregate contributions for the years 1994 through 1998, respectively. The Commission's Section 441a(a)(1)(A) finding was premised on the analysis addressing Mr. Gray's contributions to candidate committees presented at page nine of the First General Counsel's Report in this matter, dated February 26, 1999. This analysis was in error, overstating Mr. Gray's excessive contributions to candidate committees by \$3,416. The correct amount of Mr. Gray's excessive contributions is \$1,750.

Further, the Commission's Section 441a(a)(3) finding was premised in part on the analysis addressing Mr. Gray's aggregate contributions for the year 1994 also presented at page nine of the First General Counsel's Report. This analysis noted that, despite Mr. Gray's corrective efforts, his aggregate contributions for that year remained \$1,898 in excess of the annual limit. This amount was overstated. The correct aggregate amount for Mr. Gray's 1994 contributions is \$25,398 -- \$398 in excess of the twenty-five thousand dollar yearly contribution limit.

These corrections do not affect the Commission's reason to believe findings in this matter as Mr. Gray remains in violation of Sections 441a(a)(1)(A) and 441a(a)(3). However, these changes do require Commission approval of the attached corrected Factual and Legal Analysis. (Corrections at page eight of attachment).


On the same date, the Commission also found no reason to believe that Senator Trent Lott or the New Republican Majority Fund and J. Stanley Huckaby, as treasurer, violated 2 U.S.C. § 441a(f). The First General Counsel's Report inadvertently omitted a recommendation that the Commission close the file as to these respondents. Accordingly, this Office now recommends that the Commission close the file as concerns Senator Lott and the New Republican Majority Fund.

## II. RECOMMENDATIONS

1. Approve the attached Factual and Legal Analysis.
2. Close the file in MUR 4758 with regard to Senator Trent Lott and the New Republican Majority Fund and J. Stanley Huckaby, as treasurer.

Lawrence M. Noble  
General Counsel

3/17/09  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachment  
Corrected Factual and Legal Analysis

Staff Assigned: J. M. Rodriguez